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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,368	11/24/2003	Chao Yang Huang	056655/0120421	4695

26242 7590 06/13/2006

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EXAMINER

SCHNEIDER, CRAIG M

ART UNIT	PAPER NUMBER
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3753

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/720,368	Applicant(s) HUANG, CHAO YANG	
	Examiner Craig M. Schneider	Art Unit 3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4, 6-9, 11-14 and 16-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4, 6-9, 11-14 and 16-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/24/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 3-4, 12-13, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finell (5,275,197) in view of Lau (6,648,004).

Finell discloses a valve comprising in combination a fill hole (24), a screw cap (12), and a safety valve (15) removably insertable into the fill hole to function as a stopper for the fill hole comprising a stopper portion having a check valve (17) and a safety cap (3) that is removably insertable into the stopper portion (col. 2, line 24 to col. 3, line 39). Finell does not disclose a valve cup. Lau discloses using a valve with a valve cup (12)(col. 2, lines 28-41).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the valve cup of Lau onto the valve assembly of Finell, in order to protect the valve from potential damage.

Regarding claim 4, Finell discloses wherein the safety valve further comprises a seal portion (area between 14 and 16 on the safety valve that abuts the flange part (23)).

3. Claim 2, 6, 8-9, 11, 14, 16, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finell and Lau as applied to claims 3, 12, and 17 above, and further in view of Po (4,924,899).

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Finell and Lau disclose all the features of the claimed invention except that the stopper portion of the safety valve and the safety valve are permanently joined. Po discloses attaching the safety valve (11) and the stopper portion of the safety valve (12) as seen in Figure 1. Po further discloses a stopper release tab as seen in Figure 1.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the thin attachment strip of Po onto the valve assembly of Finell and Lau, in order to insure that the stopper is not lost.

Regarding claim 6, Finell discloses wherein the safety valve further comprises a seal portion (area between 14 and 16 on the safety valve that abuts the flange part (23)).

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finell and Lau as applied to claim 3 above, and further in view of Morton (3,147,763).

Finell and Lau disclose all the features of the claimed invention except that the cap has exterior grooves. Morton discloses that the cap (18) has exterior grooves (21) as seen in Figure 1 (col. 2, lines 46-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the exterior grooves of Morton's cap onto the vap of Finell-Lau, in order to provide a better grip on the cap.

Response to Arguments

5. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig M. Schneider whose telephone number is (571) 272-3607. The examiner can normally be reached on M-F 8:30 -5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Keasel can be reached on (571) 272-4929. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CMS *CMS*
June 6, 2006


ERIC KEASEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700